

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SHELDON CUMMINS,

Petitioner,

v.

No. 14-cv-0558 LH/SMV

**JOSEPH GARCIA and
ATTORNEY GEN. FOR THE STATE OF N.M.,**

Respondents.

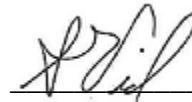
ORDER

THIS MATTER is before the Court on Petitioner's [Second] Motion for Extension of Time to reply to his Motion for Summary Judgment [Doc. 23], filed on November 25, 2014. Petitioner explains that he needs an additional 60–90 days to formulate his reply because of his limited access to the prison facility's law library and because he has not received a copy of the audio recording of his state court jury trial, even though Respondents submitted the recording to the Court. [Doc. 23]. Respondents do not oppose the extension of time and do not respond to Petitioner's request for the audio recording. [Doc. 24].

IT IS THEREFORE ORDERED that Petitioner's [Second] Motion for Extension of Time to reply to his Motion for Summary Judgment [Doc. 23] is **GRANTED**. Petitioner's reply is due by **March 3, 2015**.

IT IS FURTHER ORDERED that Respondents produce a copy of the audio recording of the February 12–14, 2013 jury trial, *see* [Doc. 10], to Petitioner no later than **December 31, 2014**, or show cause why they should not be required to produce the recording.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge